IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

WP(C).No. 8285 of 2007(J)

PETITIONER:

C.U.MARY,
CHILD DEVELOPMENT PROJECT OFFICER,
ICDS, PAMBAKKUDA, ERNAKULAM DISTRICT.

BY ADV. SRI.M.P.ASHOK KUMAR

RESPONDENTS:

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1. THE DIRECTOR OF SOCIAL WELFARE,
VIKAS BHAVAN, TRIVANDRUM-33.

2. SECRETARY TO GOVT.,
SOCIAL WELFARE (A) DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.8285 of 2007

Dated this the 15th day of March, 2007

JUDGMENT

The petitioner is working as Child Development Project Officer. As per Ext.P3 order dated 12.12.2006 passed by the first respondent, a penalty of withholding increment without cumulative effect for one year has been imposed on the petitioner. Feeling aggrieved, the petitioner has invoked Rule 23 of the Kerala Civil Services, Classification and Appeal Rules 1960 and has filed Ext.P4 appeal before the second respondent. The petitioner is due to retire from service by the end of May 2007. Counsel for the petitioner is right in submitting that delay in disposing Ext.P4 appeal will result in adverse consequences not only in the matter of enjoyment of service benefits till her retirement but even in the matter of the pensionary benefits. It is submitted that this Court may direct the second respondent to take early decision on Ext.P4.

2. Heard the Government Pleader for the respondents.

3. In the circumstances, it is necessary that the first respondent shall be directed to consider Ext.P4 and take decision, in accordance with law, within a time frame. Accordingly, the writ petition is disposed of directing the second respondent to call for the relevant records from the first respondent, to consider Ext.P4. as expeditiously as possible, and pass orders in accordance with law, within two months from the date of receipt of a copy of the judgment. The petitioner shall produce a copy of the judgment and a copy of the writ petition before the second respondent for information and compliance.

K.K.DENESAN, JUDGE

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